IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.30435 of 2008

1. DEV KALYAN ROY.
2. BIPIN KUMAR ROY.
3. LAKSHMI DEVI.

Versus

THE STATE OF BIHAR

2/ 15/10/2008. Heard learned counsel for the petitioners and learned counsel for the State.

The petitioners are the husband and his family members apprehending arrest in a police case under Sections- 498A, 341, 323 and 379/34 of I.P.C. and ¾ of D.P. Act.

They were granted anticipatory bail on 6.2.2007 when the informant was physically present and confirmed that matrimonial harmony had been revived. They, however, failed to surrender in time.

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The court below appears to have acted mechanically without application of mind little realizing that by a judicial order the matrimonial harmony already restored was sought to be disturbed by the court without any justification.

Having considered the facts and circumstances of the case, let the petitioners above named surrender before the court below within six weeks when they shall be enlarged on anticipatory bail upon furnishing the bail-bonds of Rs.10,000/- (ten thousand) each along with

two sureties of the like amount each to the satisfaction of Ld. C.J.M., Samastipur in Hasanpur P.S. Case No.13 of 2002, subject to the conditions laid down under Section-438(2) Cr.P.C.

KC **(Navin Sinha,J)**

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